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OCT 20 2009

Docket No.: 66314(46342)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masakazu Ichinose et al.

Application No.: 10/594,266

Confirmation No.: 5665

Filed: March 21, 2007

Art Unit: 1656

For: PREVENTIVE/REMEDY FOR
RESPIRATORY DISEASES

Examiner: J. W. Lee

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the restriction requirement set forth in the Office Action mailed July 22, 2009, Applicant hereby provisionally elects Group V, directed to claims 15-18 for continued examination.

Applicant also hereby elects the species of SEQ ID NO:2 (CH25H).

The afore-mentioned elections are being made solely to comply with, and be fully responsive to, the restriction requirement set forth in the Office Action. The right to file one or more divisional applications on non-elected subject matter is reserved.

Additionally, Applicant reserves the right to pursue rejoinder of withdrawn process claims that depend from or otherwise include all the limitations of an allowable product claim.

Early and favorable examination is requested.

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FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge such fee to our Deposit Account, No. 04-1105, Reference 63152 (45107). Any overpayments should be credited to said Deposit Account.

Dated: October 20, 2009

Respectfully submitted,

Customer No. 21874

By


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